

Dawn Marie Taylor
dawnmarie.taylor@aporter.com
+1 415.471.3252

10th Floor
Three Embarcadero Center
San Francisco, CA 94111-4024

February 3, 2015

VIA FEDERAL EXPRESS - PRIORITY OVERNIGHT

Regional Freedom of Information Officer
U.S. Environmental Protection Agency - Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105

Re: Freedom of Information Act Request - U.S. Environmental Protection Agency
Region 9 TCE Guidelines

Dear Madam or Sir:

We appreciate your prompt attention to this request for documents made under the Freedom of Information Act (the "Act"), 5 U.S.C. §552.

This request concerns the following documents: (i) December 3, 2013 letter sent by EPA Region 9 to Stephen Hill, Chief of the Toxics Cleanup Division at the Regional Water Quality Control Board, San Francisco Bay Region concerning the South Bay Superfund sites ("**12-3-2013 Letter**"), and (ii) the memorandum entitled "EPA Region 9 Response Action Levels and Recommendations to Address Near-Term Inhalation Exposures to TCE in Air from Subsurface Vapor Intrusion" dated July 9, 2014 and its enclosed memorandum entitled "Region 9 Interim Action Levels and Response Recommendations to Address Potential Development Hazards Arising from Inhalation Exposures to TCE in Indoor Air from Subsurface Vapor Intrusion" dated June 30, 2014 (collectively "**2014 EPA Region 9 TCE Guidelines**"). This is a request for the following documents in the possession or control of EPA Region 9:

1. Any and all EPA Region 9 and EPA headquarters memoranda, staff analyses, data, data compilations, summaries, and similar material that are the basis for the 12-3-2013 Letter and the 2014 EPA Region 9 TCE Guidelines.
2. Any cost benefit analyses, economic impact analyses, and similar documents, data compilations, and fiscal assessments regarding potential impact of implementation of the 12-3-2013 Letter or the 2014 EPA Region 9 TCE Guidelines.
3. Any and all EPA Region 9 and EPA headquarters memoranda, staff analyses, data, data compilations, summaries and similar material that support the guideline in the 12-3-2013 Letter and in the 2014 EPA Region 9 TCE Guidelines requiring vapor intrusion investigations in

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groundwater plumes containing 5 µg/l or greater TCE ("5 ppb Investigation Guideline"). As part of this request, please supply us with all data for indoor air, groundwater, soil, and soil gas at specific sites that support the 5 ppb Investigation Guideline.

4. Any and all memoranda, staff analyses, data, data compilations, summaries, and similar material regarding the individual buildings situated above groundwater with TCE concentrations less than 100 µg/l in the San Francisco Bay Area, and elsewhere, where the response action levels for indoor air set forth in the 12-3-2013 Letter and the 2014 EPA Region 9 TCE Guidelines were exceeded. As part of this request, please provide the number of buildings at sites in Silicon Valley that were found to meet the conditions in the prior sentence, as compared with the total number of buildings tested in the vicinity.

Please send copies of all documentation to:

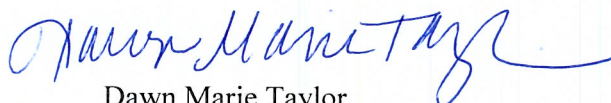
Dawn Marie Taylor, Senior Legal Assistant
Arnold & Porter LLP
3 Embarcadero Center, 10th Floor
San Francisco, CA 94111
email: dawnmarie.taylor@aporter.com

It is our understanding that this request falls within the "commercial use" category and therefore, we agree that Arnold & Porter LLP will pay reasonable duplication fees for the processing of this request in an amount not to exceed \$250. Please notify me before incurring any expense in excess of \$250.

If this request is denied in whole or in part, please justify all deletions by reference to specific exemptions of the Act. We also expect you to release all segregable portions of otherwise exempt material.

Thank you for your assistance. We look forward to your reply within the statutory 20 business days, as required by the Act. Please contact me at (415) 471-3252 with any questions or if you require any further information.

Sincerely,



Dawn Marie Taylor
Senior Legal Assistant